

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION**

**DREW PHILIP JACKSON**

**PLAINTIFF**

**V.**

**CASE NO.: 5:15-CV-05281**

**NURSE ANDREW PIAZZA; STEPHEN  
PRICE; A. GRAHAM; G. CERVONTAS;  
R. WINGATE; C. MORGAN; and  
NURSE PHEBE GROTHAUS**

**DEFENDANTS**

**OPINION AND ORDER**

This is a civil rights action filed by Plaintiff Drew Philip Jackson under the provisions of 42 U.S.C. § 1983. Jackson proceeds *pro se* and *in forma pauperis*. When he filed this action, Jackson was incarcerated in the Washington County Detention Center (WCDC) in Fayetteville, Arkansas. He claims that he was denied adequate medical care while incarcerated in the WCDC.

When he filed this case on November 13, 2015, Jackson was specifically instructed that he had the obligation to inform the Court immediately of any changes in his address (Doc. 3). On December 8, 2015, mail sent to Jackson was returned with a notation that he was no longer in the WCDC. Mail was also returned as undeliverable on December 14th and December 15th.

On December 15, 2015, the Court Clerk obtained Jackson's home address that he gave to the WCDC when he was booked in. The Clerk entered a change of address (Doc. 20) on Jackson's behalf to 257 E. Lee Street, Pensacola, Florida 32503. Mail was returned as undeliverable from this address on February 9, 2016.

Defendants have now filed a first Motion to Dismiss (Doc. 23) and Second Motion to Dismiss (Doc. 25). Both Motions indicate that Defendants have been unable to serve Jackson with discovery requests. They also assert that Jackson is not in compliance with Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas which requires *pro se* individuals to keep the Court informed of their addresses.

Both Motions to Dismiss (Docs. 23, 25) are **GRANTED**. The Court does not have a valid address for Jackson. Mail sent to him at his home address in Florida has been returned as undeliverable. Jackson has not communicated with the Court in any way since December of 2015. The case is dismissed based on Jackson's failure to obey an order of the Court; his failure to prosecute this case; and, his failure to comply with Local Rule 5.5.(c)(2). Fed. R. Civ. P. 41(b) and Local Rule 5.5(c)(2).

IT IS SO ORDERED on this 18<sup>th</sup> day of March, 2016.



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TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE